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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/218,783	12/22/1998	PEGGY M. STUMER	98-P-7977-US	2633

7590 05/07/2003

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
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EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 05/07/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/218,783

Applicant(s)

STUMER ET AL.

Examiner

Thjuan P Knowlin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Ayala (US 5,809,130).
3. In regards to claims 1, 3, 4, 8, 9, 11, 12, 14, 15, 21, 22, and 26, Ayala discloses a group pickup system in a communication network having one or more servers (col. 2 lines 23-30), comprising: an invite request unit to invoke the group pickup system (col. 2 lines 8-15); a group pickup request unit responsive to said invite request unit to establish a connection to a group pickup destination to enable a caller station to be pickup up from said destination, said destination being a user selectable location located on any server anywhere within the network (col. 2 lines 23-30 and col. 3 lines 11-17); and a retrieval request unit (Fig. 1 and retrieval system 10) to connect a call pickup station with said caller station; wherein said group pickup system comprise a supplementary service group pickup system (col. 2 lines 23-30, col. 3 lines 18-24, and col. 4 lines 26-47).
4. In regards to claims 2, 10, 13, and 25, Ayala discloses the system and method, further including an exception handler adapted to handle failures in the group pickup system (col. 2 lines 31-44).

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5. In regards to claim 5, Ayala discloses the system, wherein said network failure may include excessive network congestion (col. 1 lines 45-59 and col. 2 lines 31-44).

6. In regards to claims 6 and 7, Ayala discloses the system, wherein said network failure may include a vacant number (col. 2 lines 23-30).

7. In regards to claims 16, 17, 18, 20, 23, and 24, Ayala discloses a system, in which the request unit comprises: an automatic mode unit that automatically searches for a group member station that may be available to pick up an unanswered call (Fig. 1 and col. 4 lines 26-47); and a manual mode unit that is initiated by a group member who is aware of an unanswered call at another station and searches for an alerting group member station (col. 2 lines 8-15).

8. In regards to claim 19, Ayala discloses a system, further comprising a queue/dequeue unit (Fig. 1 and call queue 18) for selecting a group member from a database (col. 4 lines 48-58 and col. 5 lines 8-16).

Response to Arguments

9. Applicant's arguments filed March 06, 2003 have been fully considered but they are not persuasive. Applicants state that Ayala state that "stations are not divided into groups dependent on physical proximity" (col. 2 lines 22-23), but instead provides a single central office switch which queues calls and then sends paging or public address messages to intended recipients. Thus, teaching away from the present invention, which provides an enhanced network-wide group pickup system. Examiner respectfully disagrees with this argument. As pointed out by Applicants, Ayala teaches that,

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"stations are not divided into groups dependent on physical proximity" (col. 2 lines 22-33). Therefore, meaning that an individual has the capability to pick up a call from any station, regardless of its location. The individual may be able to access a call even from a geographically distant station, such as a station located in a different building or town (col. 2 lines 25-30). Therefore, providing an enhanced network-wide group pickup system. Applicants also state that Ayala teaches away from a "group" server (claim 1), a "group" parking location located anywhere within the network (claims 9 and 12), and "local and/or remote" group member stations (claims 15 and 22). Examiner respectfully disagrees with this argument. As previously pointed out, Ayala teaches that stations are not divided into groups dependent on physical proximity. An individual is able to answer a call from any station, independent of its location. The station may be local or remote, such as in a different building or town. Therefore, the server(s) and/or parking location are operating within a "group", and the member stations can be local and/or remote.

Conclusion

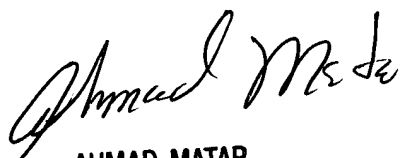
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

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12. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Thjuan P. Knowlin
May 2, 2003



AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600